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MAR 10 2004
OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Charles P. Tresser

Serial No. 10/684,641

Filed October 15, 2003

For ERROR DIFFUSION WITH
AVERAGED DIRECTIONAL BIASES

Group Art Unit: No. (unassigned)

Examiner (unassigned)

Confirmation No. 3202

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

PETITION TO THE COMMISSIONER FOR PATENTS
UNDER 37 C.F.R. §1.182

FILED DATE 37CFR 1.53

Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed February 25, 2004, in the above-identified patent application, there is submitted herewith the following:

- a copy of the Mail Room date stamped receipt showing the papers filed for the patent application
- a copy of the Utility Patent Application Transmittal filed with the patent application
- a supplemental declaration under 37 C.F.R. §1.63 by the inventor with an attached copy of page 5 of the application
- a provisional preliminary amendment
- a copy of the Notice
- a check in the amount of \$130.00 for the petition fee (37 C.F.R. §1.17(h))

03/10/2004 AWONDAF1 00000043 10684641

01 FC:1460 130.00 OP

03/26/2004 RILEY

03/26/2004 00000043 10684641

-130.00 OP

This petition seeks to obtain a decision that page 5 of the application was filed with the application or, in the alternative, a decision that page 5 of the application, if not filed with the application, is not material to the disclosure of the invention. In either case, this petition seeks to have the original filing date of October 15, 2003, as the Official filing date of the application.

The first two documents attached (i.e., the copy of the Mail Room date stamped receipt showing the papers filed for the patent application and the copy of the Utility Patent Application Transmittal filed with the patent application) both show that the specification as filed contained 27 pages. These 27 pages would have included page 5; however, these documents, while providing evidence that page 5 was included, are not conclusive evidence that page 5 was in fact included with the filing. These two documents are the best evidence available to show that page 5 was included.

A copy of page 5 is attached to a supplemental declaration executed by the inventor, the third document which is attached. The inventor states in his declaration that page 5 was part of the original patent application that he executed on October 10, 2003, and that page 5 constitutes part of his patent application but is not material to a full and complete disclosure of his invention.

Based on the first three documents, it is requested that a decision be made that the patent application was filed complete on October 15, 2003, in which case a refund of the petition fee is requested by crediting the amount to Attorney Deposit Account No. 50-2041. In the alternative, should the first three documents be found not to support such a decision, there is submitted a provisional preliminary amendment, which is made for the purpose of preserving the original filing date. Specifically, as an inspection of page 5 attached to the inventor's supplemental declaration will show, and as stated by the inventor in his supplemental declaration, the matter found to be omitted from the application as originally filed is not material to the disclosure of the invention under 35 U.S.C. §112, first paragraph. This material consists of (1) a further elaboration on the summary of the invention, (2) a brief description of the

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drawings and the heading therefor, and (3) the beginning introduction of the detailed description of the preferred embodiment and the heading therefor. As to item (3), the beginning introduction amounts to half a sentence. If this amendment is entered, item (1) would be omitted, the summary of the invention on page 4 of the application being sufficient. This amendment adds items (2) and (3), which do not constitute new matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Lamont Whitham', is written over the typed name.

C. Lamont Whitham
Reg. No. 22,424

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190
Tel. (703) 787-9400
Fax. (703) 787-7557
Customer No.: 30743

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
00280757AA

In Re Application Of: C. Tresser, et al.

Serial No.
10/684,641

Filing Date
October 15, 2003

Examiner
Unkown

Group Art Unit
2621

Title: ERROR DIFFUSION WITH AVERAGED DIRECTIONAL BIASES

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OFFICE OF PETITIONS

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

PETITION TO THE COMMISSIONER OF PATENTS; PETITION FEE \$130.00; COPY OF STAMPED POSTCARD; COPY OF APPLICATION; SUPPLEMENTAL DECLARATION W/ATTACHED COPY OF PAGE 5; PRELIMINARY AMENDMENT; COPY OF THE NOTICE OF OMITTED ITEMS.

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$130.00 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-2041 as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: March 8, 2004

C. Lamont Whitham
Reg no. 22,424
Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
703-787-9400
Customer Number: 30743

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

HAND DELIVERED

Typed or Printed Name of Person Mailing Correspondence

CC:



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MAR 10 2004

OFFICE OF PETITIONS

REQUEST FOR EARLY NOTIFICATION OF SERIAL NUMBER

Docket No. 0280757aa In re: patent/ trademark application of

Charles P. Trester
For Error Diffusion w/ Averaged Directional
Biases

27 Pages in Specification 43 No. of claims [2 independent; dependent]
4 Sheets of Drawings Abstract Specimens
 Transmittal Sheet Fee Calculation Form
 Combined Declaration and Power of Attorney Ver. Stmt/Sm Entity Status
 Assignment Recordation Form Cover Sheet
 Information Disclosure Statement PTO-1449 and associated art (13 docs.)
 Priority Document(s) Other Power of Atty
 Fees \$1224. Deposit Account No. (if applicable) 50-051078m
1184. filing fee; 40. Assignment charge; Extra Claims fee)

SERIAL NO.

Client Matter No.

Atty: Asst.



**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
00280757aa

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTSMail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ERROR DIFFUSION WITH AVERAGED DIRECTIONAL BIASES**RECEIVED****MAR 10 2004****OFFICE OF PETITIONS**

and invented by:

Charles P. Tresser

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 27 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings *(if filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
00280757aa

Total Pages in this Submission

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 4
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

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MAR 10 2004

OFFICE OF PETITIONS

Accompanying Application Parts

9. ☒ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail *(Specify Label No.):* HAND DELIVERED

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
00280757aa

Total Pages in this Submission

Accompanying Application Parts (Continued)

17. ☒ Additional Enclosures *(please identify below)*:

ASSOCIATE POWER OF ATTORNEY

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
00280757aa

Total Pages in this Submission

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	43	- 20 =	23	x \$18.00	\$414.00
Indep. Claims	2	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$1,184.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **—50-0510** as described below.
- ☒ Charge the amount of **\$1,184.00** as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

C. Lamont Whitham
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703/787-9400

Dated: Oct. 15, 2003

cc: Customer No. 30743